

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

ALI ZHERKA,

Defendant.

07 Cr. 837 (VM)

ORDER

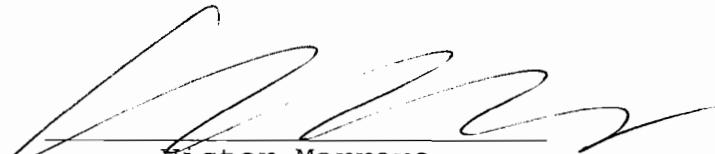
VICTOR MARRERO, United States District Judge.

The Defendant requests (see attached letter) that the Court schedule a conference at which Defendant intends to withdraw his previous plea of not guilty and enter a plea of guilty. The parties are hereby on notice that the Court has scheduled a conference for September 11, 2008 at 4:30 p.m. for this purpose. No party has objected to the exclusion of the adjourned time from the Speedy Trial Act calculations until September 11, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York  
3 September 2008



Victor Marrero  
U.S.D.J.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-3-08

## WATTERS & SVETKEY, LLP.

Kyle B. Watters  
Attorney at Law

286 Madison Avenue, Suite 1800  
New York, New York 10017

Jonathan Svetkey  
Attorney at Law

Tel (212) 679-8999  
Fax. (212) 679-9791

September 3, 2008

Judge Victor Marrero  
United States District Court, Southern District  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007-1312

VIA FAX: (212)805-6382

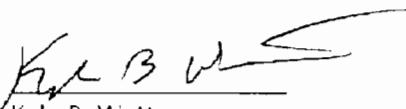
RE: US v. Ali Zherka, 07-CR-837(VM)  
Request for plea date

Judge Victor Marrero,

I am writing this letter pursuant to the telephonic conference had today with chambers and the government. I request that my client's case be adjourned until Thursday, September 11<sup>th</sup> at 4:30 p.m. for purposes of my client entering into a plea agreement.

Thank you for your fair consideration of this matter.

Sincerely,

  
\_\_\_\_\_  
Kyle B. Watters

KBW/mh  
CC: AUSA Katherine R. Goldstein